



# **Illinois Labor Relations Board**

**2023  
ANNUAL REPORT**

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# Illinois Labor Relations Board

*To the Governor of the State of Illinois, the President of the Illinois Senate, the Speaker of the Illinois House, and the Members of the Illinois General Assembly:*

This is the 38th annual report of the Illinois Labor Relations Board (ILRB) giving an overview of decisions rendered, statistics of case activity, relevant court decisions, our budget and staffing for the period of July 1, 2022 through June 30, 2023.

The ILRB has offices in Springfield and Chicago. The ILRB consists of two panels with five members on the State Panel and three members on the Local Panel. The panels hold monthly meetings and meet jointly at least twice a year. ILRB meetings are open to the public. Dates and locations can be found at <https://ilrb.illinois.gov>.

The Illinois Labor Relations Board is grateful to Governor J. B. Pritzker, Mayor Brandon Johnson, and Cook County Board President Toni Preckwinkle for giving us the responsibility to help maintain a positive relationship between public employers and their employees.

Sincerely,

/s/ William E. Lowry

William E. Lowry  
Chairman

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## **Jurisdiction of the Board**

The Illinois Public Labor Relations Act (Act), 5 ILCS 315 (2014), enacted by Public Act 83-1012, effective July 1, 1984, and last amended effective June 1, 2022, governs labor relations between most public employers in Illinois and their employees, along with the labor organizations that represent these employees. Throughout the State, the Illinois Labor Relations Board (ILRB) regulates the designation of employee representatives; the negotiation of wages, hours, and other conditions of employment; and resolves or, if necessary, adjudicates labor disputes.

The State Panel has jurisdiction over public, non-educational employers and employees throughout the State of Illinois. Its jurisdiction includes state government, county governments, municipal governments covering populations not in excess of two million persons, and the Regional Transportation Authority.

The Local Panel has jurisdiction over units of local government with a population in excess of two million persons. This includes not only the County of Cook and the City of Chicago, but also other county- and city-wide governmental entities such as the Forest Preserve District of Cook County, the Metropolitan Water Reclamation District of Greater Chicago, the Chicago Housing Authority, the Chicago Transit Authority, and the Chicago Park District.

Together with the Illinois Educational Labor Relations Act, 115 ILCS 5 (2014), the Act provides comprehensive statutory regulation of public sector collective bargaining in Illinois. It has many similarities to the National Labor Relations Act, which regulates collective bargaining matters in the private sector, and to the laws of other states that regulate collective bargaining in the public sector.

The Board's duties under the Act include the following:

1. Rendering determinations on all charges alleging unfair labor practices under the Act, after investigation and, where necessary, hearing.
2. Processing petitions seeking the certification or decertification of collective bargaining representatives of public employees, often conducting hearings and elections upon such petitions;
3. Processing petitions to modify or clarify bargaining units and certifications of bargaining units;
4. Providing rosters of mediators, fact-finders, and arbitrators to parties covered by the Act in order to assist in resolving collective bargaining impasses and grievance disputes.
5. Conducting emergency investigations of public employee strikes and strike threats, upon demand, to determine whether judicial proceedings are warranted to restrain or prevent strike activity imperiling the health and safety of the public.

## Funding of the Board

The Illinois Labor Relations Board received a budget appropriation of \$2,155,400 for fiscal year 2023. The ILRB received its funding through the General Revenue Fund (GRF). The ILRB had a lump sum rather than line-item budget for fiscal year 2023. The line-item figures represented below reflect expenditures for those lines. Figures were rounded to the nearest dollar.

FY 2023 Actual Expenditures	
Personal Services	1,301,856
Social Security/Medicare	93,773
Contractual Services	112,452
Travel	2,270
Commodities	3,250
Printing	\$140
Equipment	1,510
Electronic Data Processing	218,424
Telecommunication	21,781
Agency Ops/Lump Sum	0
Total	1,755,456

## **Illinois Labor Relations Board Members**

### STATE PANEL

William E. Lowry (Chair)  
Chicago

Kendra Cunningham  
Murrayville

Jeffrey W. Mears  
Vienna

Frances A. Hurley  
Chicago

### LOCAL PANEL

Lynne O. Sered (Chair)  
Evanston

Charles E. Anderson  
Chicago

Angela C. Thomas  
Chicago

## **Illinois Labor Relations Board Staff**

EXECUTIVE DIRECTOR  
Kimberly F. Stevens

GENERAL COUNSEL  
Helen J. Kim

CHIEF FISCAL OFFICER  
Aaron M. Itulya

ASSOCIATE GENERAL COUNSEL  
Anna Hamburg-Gal

PERSONNEL OFFICER  
Brianna N. Klein

ASSISTANT TO GENERAL COUNSEL  
Lashonda T. Channel

CASE MANAGER  
Brianna N. Klein

ADMINISTRATIVE LAW JUDGES  
Donald W. Anderson  
Joseph S. Moy

INFORMATION TECHNOLOGY  
Brianna N. Klein

Michelle N. Owen  
Sharon Purcell

COMPLIANCE OFFICER/  
INVESTIGATOR/MEDIATOR  
Olivia L. Campbell Reed

INVESTIGATORS  
Aaron M. Eisfelder  
Richard Cody Huffines  
Tiara L. Mackins

## Functions of the Board

### Case Processing

The Board has two primary programs, Petition Management (Representation Cases) and Unfair Labor Practice Charges. The following briefly describes the types of cases processed by the Board under each program and the procedures used to process them. All references to the Board are applicable to either the State or Local Panel.

### Petition Management (Representation Cases)

Petition management (representation) cases can be initiated in several ways. A labor organization seeking recognition as the exclusive bargaining representative of a unit of employees in which no other labor organization has attained recognition rights has two options: request that the employer voluntarily recognize it or file a representation petition with the Board. If another labor organization is already recognized in accordance with the Act to represent the same group of employees, a representation petition must be filed with the Board.

The following types of petitions initiate representation proceedings before the Board:

- *Representation/Certification Petitions (RC)* are filed by employees, a group of employees, or labor organizations seeking certification of an exclusive collective bargaining representative for certain positions.

Labor organizations seeking certification as the exclusive bargaining representatives of employees may seek certification by filing a petition seeking an election or a Majority Interest Petition. Where a Majority Interest Petition is filed, the Board determines whether the labor organization has presented evidence that a non-coerced majority of employees in an appropriate unit signed valid cards or petitions indicating they want that labor organization to represent them for the purpose of collective bargaining. The Board can then certify the labor organization as the exclusive representative without an election.

In an Election Petition, a labor organization presents evidence that over 30 percent of the employees seek an election to determine whether a majority desires representation by the petitioning labor organization. The Board then conducts an election to determine the employees' desires regarding representation.

- *Employer's Representation Petitions (RM)* are filed by employers alleging that one or more labor organizations have presented a claim to be recognized as an exclusive collective bargaining representative for a majority of the employees in an appropriate unit.
- *Voluntary Recognition Requests (VR)* are requests for certification of a unit, without an election, where the labor organization demonstrates it has a majority showing of interest in an appropriate unit and the employer voluntarily recognizes it as the unit's exclusive representative.
- *Decertification Petitions (RD)* are filed by employees seeking an election by which they can indicate their desire to no longer be represented by the existing exclusive collective bargaining representative.

- Unit Clarification Petitions (UC) are filed by exclusive collective bargaining representatives or employers seeking to clarify or amend an existing bargaining unit through the addition or deletion of a position without an election.
- Petitions to Amend Certification (AC) are filed by exclusive collective bargaining representatives or employers seeking to amend a certification because of a change in name or structure.
- Declaration of Disinterest Petitions (DD) are filed by exclusive collective bargaining representatives to declare their disinterest in further representation of a bargaining unit.

Upon receipt of a representation petition, the Board provides the employer with a notice to be posted for the benefit of affected employees. An investigation is initiated to determine the adequacy of the showing of interest - based on employee authorization cards, petitions, or election results - and the appropriateness of the proposed bargaining unit.

Employees or competing labor organizations may file intervention petitions within specified time limits.

Petitions are dismissed by the Executive Director when they have been untimely filed, when the bargaining unit is clearly inappropriate, when the showing of interest is not adequate, or when the employer and/or employees are not covered by the Act.

## **Election Petitions**

When an election petition is filed, and Board agent determines that the petition is consistent with the Act and its Rules, the agent will prepare a stipulation for consent election to be signed by the petitioner, the employer, the labor organization seeking to represent the employees, any incumbent, and any timely intervener. Upon approval of the Executive Director, a Board agent will hold the election.

If the investigation of the petition discloses the existence of a question concerning representation, the matter is assigned to an administrative law judge who may set it for hearing. Unlike unfair labor practice hearings, representation hearings are non-adversarial in nature. Parties may file appeals from the Executive Director's dismissal or file exceptions to an administrative law judge's recommended decision and order. The Board hears and rules on all appeals and exceptions.

After an election is conducted, any party may file objections with the Board alleging that the result was not fairly and freely chosen by a majority of the employees. If, after investigation and hearing, it is determined that the objections are valid, a new election is conducted. If no objections are filed or if the Board determines after investigation or hearing that filed objections are not well-founded, the Board either certifies the collective bargaining representative that received a majority of the votes cast as the exclusive representative or certifies that the election resulted in no representation. Subsequent elections cannot be conducted in the bargaining unit for one year following an election that results in a Board certification.



## Majority Interest Petitions

When a majority interest petition is filed, it is investigated to ensure that the labor organization has provided evidence that a non-coerced majority of the employees in an appropriate unit want to be represented by it for the purposes of collective bargaining. If the employer objects to the petition because it believes that specific positions are not eligible to be represented in a bargaining unit (for example, because employees in the positions are supervisors, confidential employees, or managerial employees as defined by the Act), the Board will nevertheless certify the labor organization as the exclusive representative for the unit if the contested positions are not sufficient to affect the labor organization's majority support. Whether the disputed positions should be included in the bargaining unit will be resolved by use of the Board's unit clarification procedures.

If the majority interest petition proposes a bargaining unit that combines both professional and nonprofessional employees, the Board will first conduct an election to determine whether both the professional and nonprofessional employees want to be represented in a combined unit. If the professional and nonprofessional employees decline to be represented in a combined unit, the Board will certify separate professional and nonprofessional units, provided the labor organization has demonstrated majority support in each separate unit.

If a party or individual provides evidence demonstrating a material issue of fact or law that the labor organization's majority support was obtained by fraud or through coercion, an administrative law judge will determine whether there is clear and convincing evidence of fraud or coercion. This recommendation can be reviewed by the Board. If the Board determines there is clear and convincing evidence of fraud or coercion, it will conduct an election to determine majority support for the labor organization in the appropriate unit. If the Board finds that there is not clear and convincing evidence of fraud or coercion, the Board will certify the unit based on the labor organization's evidence of majority support.

## Unfair Labor Practice Charges

Section 10 of the Act prohibits employers and labor organizations from engaging in certain labor practices. An employer, a labor organization, or an employee may file a charge with the Board alleging such unfair labor practices. There are two categories of unfair labor practice charges:

- A *Charge Against Employer (CA)* alleges that an employer has violated one of the provisions under Section 10(a) of the Act; and
- A *Charge Against Labor Organization (CB)* alleges that a labor organization has violated one of the provisions under Section 10(b) of the Act.

Upon receipt of a charge, the case is assigned to an investigator. If the investigation reveals that there is no basis to sustain the charge, the Executive Director dismisses the charge. If, on the other hand, the investigation reveals the existence of a dispositive question of law or fact as to whether an unfair labor practice has been committed, the Executive Director will issue a complaint and the case will be set for hearing before an administrative law judge. In contrast to practices before the National Labor Relations Board, the Board does not perform the prosecutorial function once a complaint is issued. Instead, the charging parties or their representatives prosecute unfair labor practice cases. Because it does not prosecute, the Board's "issue of law or fact" standard for issuance of a complaint is less strenuous than the reasonable cause standard used by the National Labor Relations Board.

At unfair labor practice charge hearings, charging parties and respondents produce and examine witnesses, adduce evidence in support of their positions, and, typically, file written briefs. After considering the record and the parties' briefs, the administrative law judge will subsequently issue a recommended decision and order.

Parties may file appeals from the Executive Director's dismissal or file exceptions to an administrative law judge's recommended decision and order. The Board hears and rules on all appeals and exceptions. Parties aggrieved by Board decisions and orders may obtain judicial review in the Illinois Appellate Court. Parties may also seek to enforce a Board order in the Illinois Appellate Court.

In FY 2014, the Board designated one of its investigators to function as its in-house mediator. This move allows the Board to provide mediation services to parties who have pending claims before the Board.

### **Other Issues Before the Board**

In addition to cases that fall within the Board's two major programs, other issues also come before the Board. Below is an overview of various other ways the Board facilitates effective bargaining relationships between public employers and their employees.

### **Mediation/Arbitration Cases**

The Board maintains a roster of qualified mediators and arbitrators. Upon request, the Board provides a list of mediators or arbitrators (MA) to parties who have reached an impasse in collective bargaining. The Act prohibits protective services employees (security employees, peace officers, firefighters) from striking. Disputes over their negotiations are subject to mandatory mediation and interest arbitration. Units of non-protective services employees use mediation in the event of impasse and can use interest arbitration on agreement of the parties or in certain instances in negotiating a first contract. The parties may request the Board's roster for other services as well, such as fact-finding, grievance arbitration, and grievance mediation, which are provided at the request of one or both parties.

### **Strike Investigations**

If a unit of non-protective services employees engages in a strike that the employer believes presents "a clear and present danger to the health and safety of the public," the employer may petition the Board for a strike investigation (SI). The Board has 72 hours to determine whether such a clear and present danger exists. The employer may then take the Board's findings to Circuit Court to seek to enjoin the work stoppage in a manner that would eliminate the danger. When employees have been enjoined from striking pursuant to this procedure, interest arbitration is used to resolve the issues in dispute.

### **Declaratory Rulings**

Employers and labor organizations may also request that the Board's General Counsel issue a declaratory ruling (DR) stating whether the Act requires bargaining over a particular subject. Such requests must be made jointly, unless it involves a protective services employee unit where a request for interest arbitration has been made.

## **Police Decertification Cases**

Amendments to Section 6.1 of the Illinois Police Training Act through Public Act 93-0655 instituted a process for the decertification of a police officer when it has been proven that, while under oath, he or she has knowingly and willfully made false statements as to a material fact going to an element of the offense of murder. There are two situations in which the ILRB State Panel may be required to conduct hearings involving alleged police perjury. In the first scenario, the Illinois Law Enforcement Training Standards Board (ILETSB) investigates verified complaints of police perjury in cases where there has been an acquittal. Following an investigation, ILETSB will forward a report to the Executive Director of the ILRB who will review the evidence to determine whether it is sufficient to warrant a hearing before an administrative law judge of the ILRB. In these cases, the Executive Director may either issue a non-appealable dismissal or order a hearing. In the second scenario, where there has been a finding of guilt on the offense of murder but a new trial is granted on direct appeal or a state post-conviction evidentiary hearing is ordered based on a claim of police perjury that goes to an element of the offense of murder, a request for hearing is filed directly with the ILRB without an investigation by ILETSB. If any of these cases proceed to hearing, an administrative law judge will make a recommendation to the ILRB State Panel as to whether certain police officers have committed perjury in homicide proceedings such that they should be decertified. The administrative law judge's decision may be appealed to the Board and the Board decision may be further appealed to court.

## **Rulemaking**

The Board is authorized to promulgate rules and regulations governing its activity. 5 ILCS 315/5(i), (j) & (k) (2012). A vote of five of the eight Board members is necessary to enact or amend rules.

The Board has adopted regulations governing its internal structures (2 Ill. Adm. Code 2500), access to its records (2 Ill. Adm. Code 2501), general provisions applicable to all Board proceedings (80 Ill. Adm. Code 1200), procedures in representation cases (80 Ill. Adm. Code 1210), procedures in unfair labor practice cases (80 Ill. Adm. Code 1220), procedures for resolving collective bargaining impasses (80 Ill. Adm. Code 1230), procedures for police decertification cases (80 Ill. Adm. Code 1240), and procedures for implementing the gubernatorial designations for exclusion (80 Ill. Admin. Code 1300). The Board's rules are available at its offices or on its website at <https://ilrb.illinois.gov>

## **Referrals to Other Agencies**

Board staff members spend a considerable amount of time assisting individuals who either call or walk into the Board's offices seeking information regarding their work-related problems. When, as often happens, a Board agent determines that the Board has no jurisdiction to remedy the problem presented by the person, the agent directs the person to the appropriate governmental agency.

## **Contract Repository/Reporting of Board Decisions**

The Board serves as the repository of public sector collective bargaining agreements for employees under the Board's jurisdiction. Contracts are maintained in electronic format and are available upon request to the Board. All Board decisions are reported through the Public Employee Reporter for Illinois (PERI).

## **Legislative Amendments**

None during reporting period.

## Board and Court Decisions

### I. Representation Issues

9/23/22

**ILRB-SP**

#### **Unit Clarification/Managerial Exclusion/Traditional and Alternative Tests**

In *Am. Fed. of State, Cnty., and Mun. Emps., Council 31 (AFSCME) and County of Lake and Lake County Coroner*, 39 PERI ¶ 43 (IL LRB-SP 2022) (Case Nos. S-UC-21-062), the Board dismissed AFSCME's unit clarification petition to include the newly created position of Forensic Pathologist in its existing bargaining unit. The Respondents opposed the petition contending the position at issue should be excluded from bargaining as managerial and supervisory positions under Sections 3(j) and 3(r) of the Act. After hearing, the ALJ recommended the Board dismiss the petition because he determined the position should be excluded as managerial. The ALJ found the position managerial under the "alternative" and "traditional" managerial tests, but found the position was not supervisory as the incumbent did not exercise supervisory authority with the requisite independent judgment. AFSCME filed exceptions contending the ALJ erred by applying two separate tests to determine managerial status and by misanalyzed the facts under both tests, citing the Illinois Appellate Court's decision in *Am. Fed'n of State, Cnty. & Mun. Emps., Council 31 v. State of Ill. Dep't of Cent. Mgmt. Servs. (Ill. Com. Cmm'n), et al.*, 2018 IL App (1<sup>st</sup>) 140656 ¶ 31, in support. The Board, however, rejected AFSCME's contention regarding the ALJ's application of separate tests, noting previous Board and court decisions that both refer to and apply the two tests at issue. The Board then determined the ALJ correctly analyzed the facts under the "traditional" test, finding the record evidence sufficiently established that the Forensic Pathologist's involvement in autopsy procedures, cause of death determinations, and determinations of the type and order of autopsies conferred managerial status such that he is "predominantly engaged in management functions and charged with the responsibility of directing the effectuation of management policies and practices." The Board, relying on *Am. Fed'n of State, Cnty. & Mun. Emps., Council 31 v. State of Ill. Dep't of Cent. Mgmt. Servs. (Ill. Com. Cmm'n), et al.*, 2018 IL App (1<sup>st</sup>) 140656 ¶ 31, observed that the "alternative" test does not provide an "alternative" statutory definition of for managerial employees but "[r]ather, it looks to whether there is a statutory or legal apparatus" that may obviate the need to examine the factual record. Because the Board accepted the ALJ's findings under the "traditional" test, it declined to address AFSCME's exceptions regarding the ALJ's analysis under the "alternative" test.

1/13/23

**ILRB-SP**

#### **Majority Interest/Supervisory Exclusion/Confidential Employees**

In *Metropolitan Alliance of Police, Geneva Police Sergeants, Chapter #312, and City of Geneva*, 39 PERI ¶ 93 (IL LRB-SP 2023) (Case No. S-RC-21-039), the Board accepted an ALJ's Recommended Decision and Order, which found that all the petitioned-for sergeants were supervisors within the meaning of Section 3(r) of the Act and that one of the sergeants was also confidential within the meaning of Section 3(c) of the Act. Regarding the supervisory exclusion, the Board affirmed the ALJ's finding that the sergeants met the

principal work requirement. The Board likewise affirmed the ALJ's finding that the sergeants exercised supervisory authority to direct with independent judgment and that their authority impacted their subordinates' terms and conditions of employment. On this point, the Board reasoned that the sergeants were responsible for issuing their subordinates fine-tuning documentations, which were precursors to discipline and were also used to impact employee evaluations completed by the sergeants. The Board rejected the Union's claim that such documentation had no impact on the subordinates' terms and conditions of employment where it was not placed in employees' personnel files. The Board further rejected the Union's claim that the sergeants lacked independent judgment in completing their evaluations, reasoning that one sergeant testified that he completed the evaluation without input before submitting it to command staff.

The Board also accepted the ALJ's use of other factors to support his finding of supervisory authority, including the fact that the sergeants are often the highest-ranking officers on shift. In relying on this factor, the Board found it insignificant that the sergeants were required to notify their superiors of significant incidents because the Union failed to explain how that obligation diminished the sergeants' responsibility while on duty as the highest-ranking officer on shift.

Finally, the Board adopted the ALJ's finding that the administrative sergeant had authorized access to confidential collective bargaining information because he was assigned to participate in collective bargaining negotiations, was included in emails containing collective bargaining proposals, and attended bargaining strategy meetings. The Board rejected the Union's assertion that the administrative sergeant's access to such information was incidental and found, instead, that it was a regular function of his position.

## **II. Employer Unfair Labor Practices**

**07/14/22**

**ILRB-SP**

### **Executive Director Partial Dismissal/Repudiation of Settlement Agreement**

*In American Federation of State, County, and Municipal Employees, Council 31 and County of DuPage (DuPage Care Center)*, 39 PERI ¶ 21 (IL LRB-SP 2022) (Case No. S-CA-21-084), AFSCME alleged the County engaged in unfair labor practices when it failed to comply with an agreement settling several unfair labor practice charges filed by Charging Party by refusing to pay employees hazard pay as provided in the settlement agreement. The charge also alleged the County refused to fully respond to Charging Party's information requests. The Executive Director issued a complaint for hearing on the information request allegations but dismissed the repudiation allegations, finding the allegations did not raise issues for hearing. The Executive Director found the evidence failed to indicate that the County's actions constituted repudiation because it had a rational justification for failing to provide hazard pay. On appeal, the Board reversed the partial dismissal and remanded the matter to the Executive Director to amend the complaint to include the repudiation allegations. The Board distinguished the cases relied on by the Executive Director, noting that those cases did not involve a breach of an agreement to settle unfair labor practice charges. The Board further noted that at the time of the alleged breach, the parties had not yet agreed to terms for their initial collective bargaining agreement, and no grievance resolution process was in place.

**07/14/22**

**ILRB-LP**

**Executive Director’s Dismissal/Concerted Activity/Disparate Treatment**

In *Joseph McGreal and City of Chicago (Department of Business Affairs and Consumer Protection)*, 39 PERI ¶ 19 (IL LRB-LP 2022) (Case No. L-CA-21-037), Charging Party alleged the City of Chicago engaged in unfair labor practices when it discharged him to avoid allowing him to take approved FMLA leave and for participating in protected concerted activity. Charging Party also contended that the City’s actions deterred other bargaining unit members for engaging in union and other protected concerted activity. The Executive Director dismissed the charge the observing that Charging Party failed to provide any evidence that his participation in protected activity was the substantial or motivating factor in the City’s decision to discharge him. She also found that Charging Party failed to provide evidence that the City’s disparate treatment. On appeal, Charging Party pointed to findings by the Illinois Department of Employment Security (IDES) regarding his unemployment insurance claim and an email to his supervisors regarding the alleged misconduct, contending the documents provided evidence of the City’s pattern of disparate treatment, hostile treatment towards Charging Party, shifting explanations for his discharge, and anti-union animus. Charging Party also claimed he was not able to provide evidence of disparate treatment during the investigation because his attempts to obtain the from Respondent were unanswered. The City responded to the appeal, contending that the IDES documents Charging Party relied on cannot, by law, be used as evidence in the Board’s proceedings.

Although the Board found merit to the City’s contentions regarding the prohibition on the use of IDES determinations, it reversed the dismissal and remanded for further investigation into the allegations of disparate treatment. The Board noted that Charging Party, who was proceeding pro se, was unable to obtain information regarding disparate treatment in the possession of the Respondent and the Executive Director determined there was no evidence of such disparate treatment in dismissing the charge. The Board found that further investigation would allow Charging Party an opportunity to submit affidavits from other employees indicating disparate treatment and allow the City to respond to such claims, without reliance on any of the IDES documents.

**08/03/22**

**ILRB-LP**

**Vacatur on Remand/Withdrawal of Charge**

In *Illinois Fraternal Order of Police Labor Council*, 39 PERI ¶ 22 (IL LRB-LP 2022) (Case No. L-CA-18-041), the Board on remand and direction from the Illinois Appellate Court, vacated its November 20, 2020 Decision and Order. Charging Party subsequently withdrew its charge.

**08/11/22**

**ILRB-SP**

**Section 10(a)(8) Objective Standard**

In *American Federation of State, County, and Municipal Employees, Council 31, and CGH Medical Center*, 39 PERI ¶ 28 (IL LRB-SP 2022) (Case No. S-CA-21-069), AFSCME alleged the posting of a “letter to the editor” on the Respondent’s website by Respondent’s President

and CEO Dr. Paul Steinke and the maintenance of that posting through July 6, 2022, constituted unfair labor practices. The letter informed employees that Steinke had learned Union representatives had visited employee homes and stated that employees were not required to speak to them and if employees felt threatened or intimidated, they should call the police. The letter also informed employees of reports that the Union told employees to sign authorization cards only as proof that the Union had visited, and if employees had similar experiences, they could file a complaint with the Board. Steinke concluded the letter by expressing his opinion that Respondent's "open relationship" with staff would be "hindered" by the presence of a third-party and that he would prefer to deal directly with employees and remain "union free." After hearing, the administrative law judge ("ALJ") issued a Recommended Decision and Order ("RDO") concluding the Respondent engaged in unfair labor practices in violation of Sections 10(a)(8) and 10(a)(1) of the Illinois Public Labor Relations Act, 5 ILCS 315/1 *et seq.* ("Act"). The ALJ applied an objective standard similar to the one used by the Board in cases arising under Section 10(a)(1), which considers whether an employer's conduct, when viewed objectively from the employees' standpoint, had a reasonable tendency to interfere with, restrain, or coerce employees in the exercise of their rights granted by the Act. Although neither party filed exceptions, the Board reviewed the case on its own motion and adopted the RDO as a decision of the Board. The Board observed that the case presented issues of first impression as the allegations involved the newly added Section 10(a)(8) of the Act, which prohibits public employers from interfering with or otherwise restraining, the relationship between public employees or applicants for public employment and a labor organization, including the authorization of dues or fees deductions. The Board agreed with the ALJ's rationale for applying an objective standard and found that its adoption of the RDO will provide precedent for future cases arising under Section 10(a)(8).

**08/11/22**

**ILRB-LP**

**Repudiation/Collective Bargaining/Meeting of Minds**

In *Association of Professional Police Officers and City of Aurora*, 39 PERI ¶ 29 (IL LRB-SP 2022) (Case No. S-CA-21-023), Charging Party alleged the Respondent engaged in unfair labor practices when it repudiated an agreement to create a promotional appeal process and then failed to reduce that agreement to writing. The ALJ recommended dismissal of the charge, concluding that Respondent did not engage in unfair labor practices regarding the Department's promotion process because (1) the parties did not engage in collective bargaining on the subject and even if they did, (2) the parties did not have a meeting of the minds on its essential terms and thus did not reach an agreement. The ALJ found the totality of the circumstances demonstrated that the parties engaged in the critical task of consensus-building to address concerns of racial bias in the promotional process through meetings initiated by current and former Department officers who were members of NOBLE. The ALJ further found that a representative of Charging Party was invited to meeting but did not act as spokesperson at these meetings. Although the ALJ determined that that the Charging Party's representative eventually became the officers' spokesperson on this issue, the evidence did not demonstrate that the parties considered discussions over the issue to be bargaining over the promotion process, particularly in light of the fact that the parties considered the promotion process a permissive subject of bargaining. The ALJ further found that even if the parties' discussions constituted collective bargaining, the parties did not have a meeting of the minds on the new appeal process that was to be



implemented, and therefore did not have a bargained agreement. The ALJ found that although the parties agreed to a single panel hearing appeals in the promotion process, they were not of the same mind as to what appeals would be presented to the panel and thus concluded Respondent did not violate the Act. Upon Charging Party's exceptions, the Board agreed with the ALJ's analysis and adopted her RDO as a decision of the Board.

**08/11/22**

**ILRB-LP**

**Executive Director's Dismissal/Concerted Activity**

In *Brandon Deadwyler and City of Naperville*, 39 PERI ¶ 25 (IL LRB-SP 2022) (Case No. S-CA-22-022), Charging Party alleged the City of Naperville engaged in unfair labor practices when it discharged him for discussing his discipline with other employees. The Executive Director dismissed the charge, finding Charging Party's discussion of his discipline with another employee did not constitute concerted activity because there was no evidence indicating Charging Party was invoking rights under the collective bargaining agreement, the incident that prompted the discipline involved others, and Charging Party engaged in such discussions to aid in responding to discipline. On appeal, the Board affirmed the dismissal. The Board found that Charging Party pointed to no evidence indicating he discussed his discipline with fellow employees for "mutual aid and protection" and merely recharacterized his discussions to include working conditions. The Board observed that Charging Party was in the best position to provide a first-hand account of the discussions but failed to do so during the investigation and appeal.

**09/23/22**

**ILRB-LP**

**Protected Activity/Threats of Discipline/Adverse Actions**

In *American Federation of State, County, and Municipal Employees, Council 31, and City of Chicago (Police Department)*, 39 PERI ¶ 42 (IL LRB-SP 2022) (Case No. L-CA-18-022), Charging Party alleged the City of Chicago engaged in unfair labor practices by initiating an investigation of certain bargaining unit members, including the President of Local 654, for engaging in protected, concerted activity. The City began the investigations when it learned that the Union was in possession of sensitive LEADS information for possible use at a grievance arbitration. Charging Party alleged that the City's representatives stated to the arbitrator during a sidebar that it was obligated to investigate the unauthorized use and disclosure of LEADS information and could lead to discipline. After hearing, the administrative law judge (ALJ) issued a Recommended Decision and Order (RDO) recommending dismissal of the complaint for hearing. The ALJ found the record evidence failed to demonstrate the City's actions constituted a threat of discipline and thus failed to establish violations under Sections 10(a)(1) and (2). The Board accepted the ALJ's recommendations.

**09/29/2022**

**Illinois Appellate Court, Second District**

**Opinion—2022 IL App (2nd) 210271 (J. McLaren, dissenting)**

**Bargaining Pre and Post Initial CBA/Exercise of Discretion/Status Quo/Remedy**

In *Cnty. of DuPage v. Ill. Labor Relations Bd., State Panel and the Am. Fed'n of State, Cnty., and Mun. Emps., Council 31*, the court affirmed in part, reversed in part, and vacated in part, the Board's decision and order in *AFSCME, Council 31 and County of DuPage (DuPage Care Center)*, 37 PERI ¶ 99 (IL LRB-SP 2021) (Case No. S-CA-19-116) finding that the County violated Sections 10(a)(4) and 10(a)(1) of the Act by failing and refusing to bargain over the termination of a registry employee after AFSCME's certification as exclusive representative but before the parties executed their initial collective bargaining agreement. In its decision, the Board found the County was obligated to provide AFSCME with notice and an opportunity to bargain before the discharge, declining to follow its prior decision in *County of Grundy*, 32 PERI ¶ 26 (IL LRB-SP 2015) because that decision did not directly address the exercise of discretion in an employer's decision-making during the period after the certification of an exclusive representative but before the execution of the initial agreement. The Board found the NLRB's analysis set forth in *Total Security Management, Illinois 1, LLC.*, 364 N.L.R.B. 106 (2016), holding that an employer is obligated to bargain over the imposition of discipline regardless of pre-existing practices, if the employer exercises discretion in disciplining employees, to be more closely aligned with the purposes and public policy of the Act under the circumstances. The Board also rejected the ALJ's recommendations regarding the issue of post-termination bargaining upon AFSCME's demand, noting that discipline and discharge are mandatory subjects of bargaining and as such trigger decisional and effects bargaining upon demand. Finally, the Board ordered the County to restore the status quo ante which included reinstating the discharged employee and otherwise making her whole.

Upon administrative review, the court found the Board did not clearly err in rejecting its prior decision in *County of Grundy* and relying on the NLRB's analysis in *Total Security Management, Illinois 1, LLC.* The court rejected the County's contentions on appeal that the Board failed to provide an adequate explanation for departing from its prior decision and following NLRB precedent, noting that the Board specifically determined that *County of Grundy* was wrongly decided and that the principles set forth in *Total Security Management, Illinois 1, LLC.*, more closely aligned with the policies and purposes of the Act. The court also determined that the Board did not err in finding the County violated the Act when it refused to bargain upon AFSCME's request. The court, however, found the Board's decision established a new requirement and thus, retrospective application of its decision would be unfair, and found the Board's decision should only be applied prospectively. The court vacated the portion of the remedy that included the reinstatement with back pay of the discharged employee.

**10/12/22**

**ILRB-SP**

**No-Solicitation Policies/Organizing Efforts/Concerted Activity/Retaliation**

In *American Federation of State, County, and Municipal Employees, Council 31, and CGH Medical Center*, 39 PERI ¶ 55 (IL LRB-SP 2022) (Case Nos. S-CA-20-024, -062, -063, -087, -226), Charging Party filed several unfair labor practice charges involving CGH's no-solicitation policy and treatment of one of its employees, Brandi Barron. The Executive Director issued

complaints for hearing based on the charges, and the cases were consolidated for hearing and held in abeyance at the parties' request. After hearing, the administrative law judge issued a recommended decision and order finding violations of Section 10(a)(1) and 10(a)(2) on all the allegations with the exception of the allegation that CGH violated Section 10(a)(2) and 10(a)(1) of the Act when it issued Barron a verbal warning on August 15, 2019. AFSCME filed exceptions to correct the ALJ's inadvertent omissions in her findings that CGH violated Sections 10(a)(2) and 10(a)(1) of the Act when it reduced Barron's hours. The Board agreed with AFSCME that the omission was indeed inadvertent and modified the RDO accordingly. The Board noted that AFSCME's exceptions were limited to the omissions related to Barron's reduction of hours and that neither party filed exceptions to the remainder of the RDO. As such, the Board let stand the remainder of the ALJ's findings and recommendations as non-precedential, binding only upon the parties.

**10/12/22**

**ILRB-LP**

**Unilateral Change/Abeyance**

In *Fraternal Order of Police, Lodge #7 and City of Chicago*, 39 PERI ¶ 52 (IL LRB-LP 2022)(Case No. L-CA-17-034) FOP filed an unfair labor practice charge against the City of Chicago alleging the City unilaterally implemented its CR Matrix CR Guidelines in violation of Sections 10(a)(4) and 10(a)(1) of the Act. The ALJ found the City violated Sections 10(a)(4) and 10(a)(1) of the Act when it implemented the CR Matrix and Guidelines without first bargaining such with the Union. The Board, in consideration of the parties' ongoing negotiations for a successor agreement and at the parties' request, held the case in further abeyance with directions to the parties to report either the outcome, if any, or the status of negotiations on or before March 9, 2023.

**10/12/22**

**ILRB-LP**

**Unilateral Change/Abeyance**

In *Fraternal Order of Police, Lodge #7 and City of Chicago (Department of Police)*, 39 PERI ¶ 51 (IL LRB-LP 2022) (Case No. L-CA-16-079), the ALJ found the City did not engage in unfair labor practices by unilaterally implementing a policy known as the "Transparency Policy" that provided for the release of video footage in connection with investigations into police officer misconduct. The Union filed exceptions and the City filed a response. In light of the parties continuing negotiations and at the request of the parties, the Board held the case in further abeyance and directed parties to report either the outcome, if any, or the status of negotiations on or before March 9, 2023.

**III. Union Unfair Labor Practice Charges**

**08/11/22**

**ILRB-LP**

**Dismissal/Breach of Duty of Fair Representation**

In *Numan Nunn and Fraternal Order of Police, Lodge #7*, 39 PERI ¶ 24 (IL LRB-LP 2022) (Case No. L-CB-21-011), Charging Party, a police officer employed by the City of Chicago, alleged the Union engaged in unfair labor practices when it unjustly withdrew a grievance he submitted to the employer. The Executive Director dismissed the charge on grounds Charging

Party failed to provide evidence indicating the Union withdrew Charging Party's grievance due to any bias or animus towards Charging Party's activities and/or status. On appeal, the Board granted a variance from its rules requiring a statement of service and then affirmed the dismissal for the reasons stated by the Executive Director. The Board noted that Charging Party failed to provide any information or evidence in support of his claims that the Union engaged in intentional misconduct.

**10/12/22**

**ILRB-LP**

**Dismissal/Breach of Duty of Fair Representation/Fair Share Fees**

In *Chris Logan and Illinois Council of Police*, 39 PERI ¶ 54 (IL LRB-LP 2022) (Case No. L-CB-21-006), Charging Party alleged the Union violated the Act when it refused to represent him upon becoming a non-dues paying member of the bargaining unit. After hearing, the administrative law judge found the Union restrained employees from exercising their rights under the Act by telling Charging Party it would not process his grievance or represent him in disciplinary matters based on his status as a non-dues paying member and breached its duty of fair representation by refusing to file grievances on Charging Party's behalf. The Union filed exceptions contending it exercised its discretion in grievance handling and did not pursue Charging Party's grievances based on the merits. The Union also claimed it did not engage in intentional misconduct because it relied on its counsel's reading of the U.S. Supreme Court's decision in *Janus v. Am. Fed'n of State Cnty. & Mun. Emps., Council 31*, 138 S. Ct. 2448 (2018) and its effect on an exclusive representative's obligations to non-fee-paying unit member grievances. The Board, however, rejected the Union's contentions and found the Union failed to rebut Charging Party's compelling evidence and the Union's own admission that its representatives refused to pursue Charging Party's grievances based on his non-fee-paying status.

**IV. General Counsel's Declaratory Rulings**

**S-DR-22-002** *Metropolitan Alliance of Police, Chapter #114 and the Village of Bartlett*, 39 PERI ¶ 33 (IL LRB-SP GC 2022) (September 16, 2022)

The Union unilaterally filed a petition seeking a determination regarding whether the maintenance of certain provisions in the parties' collective bargaining agreement ("CBA") and the Union's proposal with respect to the Employer Village of Bartlett's Body Worn Cameras ("BWC") policy concern mandatory or permissive subjects of bargaining within the meaning of the Illinois Public Labor Relations Act ("Act"), 5 ILCS 315/1 *et seq.* The General Counsel determined that the Employer's proposal to maintain the provisions "If a past practice is not addressed in the Agreement, it may be changed by the Village as provided in the management rights clause" and "Each party waives the right to bargain further on any subject during the term of the Agreement," in the parties' CBA concerns permissive subjects of bargaining for they serve as a broad zipper clause and thus, seek the waiver of the Union's statutory rights to bargain. The General Counsel determined that the Union's proposal regarding BWCs concerns mandatory subjects of bargaining.

**S-DR-23-001** *City of Quincy and Police Benevolent and Protective Association, Unit 12,*  
40 PERI ¶ 7 (IL LRB-SP GC 2023) (May 30, 2023)

The General Counsel dismissed the City of Quincy's unilateral petition seeking a declaratory ruling on whether certain holiday pay proposals presented in connection with the negotiation of the parties' successor collective bargaining agreement concern mandatory, permissive, or illegal subjects of bargaining within the meaning of the Act. After the conclusion of negotiations, the City discovered holiday time pay practices which it claimed allowed payment for holiday hours not actually worked. The Union disputed the City's description of the practice. The City then sought to reconvene negotiations and proposed new holiday pay language to address the practice. The Union rejected the proposal which the City then later withdrew. The City claimed the Union then presented a new wage proposal and proposed the addition of language in the CBA expressly continuing the existing practice.

The General Counsel determined the matter inappropriate for declaratory ruling because there was no genuine disagreement as to whether the subjects at issue were mandatory subjects of bargaining and that there were unresolved factual disputes concerning the scope and nature of the holiday pay practice.

## **IPLRA Updates**

### **Board Rulemaking**

#### **Part 1210 Representation Proceedings**

##### **Use of Electronic Signatures in Representation Petitions**

The Board amended its rules on representation petitions to allow a labor organization to demonstrate a showing of interest in support of a petition by using the electronic signatures of employees. 80 Ill. Admin. Code §1210.80(d)(1)(C). The Board adopted the definition of “electronic signature” from the Uniform Electronic Transactions Act, 815 ILCS 333/1 *et seq.*, which defines that term as “an electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.” 80 Ill. Admin. Code §1210.80(e)(8). Any submissions supported by electronic signatures must contain the signers name, email address or other known contact information, and telephone number, the language to which the signer agreed, the date of submission, and the name of the employer. 80 Ill. Admin. Code §1210.80(e)(9). Such submissions should not contain sensitive personal identifiers, such as birth dates or social security numbers, and the Board will not accept submissions that include such identifiers. 80 Ill. Admin. Code §1210.80(e)(10).

#### **Part 1220 Unfair Labor Practice Proceedings**

##### **Rulings on Motions to Defer**

The Board amended its rules on unfair labor practices to clarify and ensure that rulings on motions to defer receive the same treatment as rulings on other types of motions, when those rulings do not issue as Recommended Decisions and Orders. 80 Ill. Admin. Code §1220.65(d). This amendment preserves the parties' right to immediately appeal deferral rulings that issue as Recommended Decisions and Orders. This amendment also preserves the parties' right to appeal deferral rulings contained in Recommended Decisions and Orders, which address the merits of a case.

## **Interest Arbitration Awards**

### **International Association of Fire Fighters, Local 4646 and Village of Oak Brook**

FMCS Case No. 210625-07, Thomas F. Gibbons, 1/25/2022

1. Impact and effects of eliminating non-bargaining unit contracts (Village's proposal)

### **County of Sangamon and Sheriff of Sangamon County and Illinois FOP Labor Council**

S-MA 22-051, FMCS Case No. 220216-03489, Glenn D. Newman, 9/2/2022

1. Wages (Union's proposal)

### **Village of Oak Park and Illinois FOP Labor Council**

S-MA-21-098, Edwin H. Benn, 10/26/2022

1. Duration
2. Wage increases
3. Step increases
4. New wage schedule
5. Retroactivity
6. Article 20 (Patrol Officer's Bill of Rights)
7. Prior tentative agreements
8. Other proposals

### **City of Country Club Hills and Illinois Council of Police**

Arb. Ref. 21-074 Supplemental, Edwin H. Benn, 10/26/2022

### **Eastern Illinois University and Illinois FOP Labor Council**

S-MA-22-303, Marvin Hill, 11/22/2022

1. Wages (Union's final offer)

### **Roberts Park Fire Protection District and Teamsters Local 700**

S-MA-21-155, Edwin H. Benn, 1/3/2023

1. Duration
2. Wage increases
3. Sick Leave
4. Tentative agreements

### **Village of Bartlett and Metropolitan Alliance of Police, Chapter #114**

S-MA-21-145, Edwin H. Benn, 3/16/2023

1. Arbitration of discipline
2. Wages
3. Term/Duration
4. Merit pay
5. Body worn cameras
6. Complete agreement
7. Uniform allowance
8. Protective vests
9. Court stand-by

10. Retroactivity

**Village of Broadview and Illinois FOP Labor Council (Police Officers)**

S-MA-21-083, FMCS No. 220216-03476, Cary Morgen, 3/19/2023

1. Economic issues
  - a. Annual wage increase (Both)
  - b. Uniform and equipment annual dollar amount (Union)
  - c. Cost of vaccines/testing (Union)
  - d. Health insurance contributions by employees (Employer)
2. Non-economic issues
  - a. Provision of receipts for uniform spending (Employer)

**Village of Mattoon and Mattoon Firefighters Local #691**

S-MA-22-271, FMCS No. 220810-08334, Barry E. Simon

1. External comparable communities
2. Duration/Length of contract (Union's final offer)
3. Wages (Union's final offer)
4. Holidays (Union's final offer)
5. Insurance (Union's final offer, status quo)
6. Staffing for Engineer position (City's final offer)

**Office of the Illinois Secretary of State and Policemen's Benevolent Labor Committee**

S-MA-19-293, Brian Clauss, 5/1/2023

1. Economic issues
  - a. Wages (Employer's final offer)
  - b. Overtime calculation (Union's final offer)
2. Non-economic issues
  - a. Credentials and Weapons (Union's final offer)

**City of Plano and Illinois FOP Labor Council**

S-MA-20-192 and S-MA-20-193, Steven Bierig, 5/12/2023

1. Fair share fee (deleted)
2. Bill of Rights (tentative agreement)
3. Wages
4. Vacation
5. Drug testing – cannabis
6. Duration
7. Detective allowance (tentative agreement)
8. MOU's
9. New dues form (tentative agreement)
10. Retro pay

**City of Chicago and Fraternal Order of police Lodge #7**

L-MA-18-016, Edwin H. Benn, 6/26/2023 (Interim Award)

1. Retention bonuses
2. Arbitration of discipline



## Caseload Statistics

	STATE PANEL	LOCAL PANEL	TOTAL
Unfair Labor Practice Charges			
CA	100	32	132
CB	<u>28</u>	<u>26</u>	54
Total	128	58	186
Representation Cases			
AC	0	0	0
RC	63	20	83
RD	8	0	8
UC	106	19	125
VR	1	0	1
DD	<u>18</u>	<u>0</u>	<u>18</u>
Total	196	39	235
Grievance Arbitration Cases	3	0	3
Mediation/Arbitration Cases	<u>259</u>	<u>7</u>	266
Total	262	7	269
Declaratory Rulings	2	0	2
Strike Investigations	0	0	0
Total Caseload	588	104	692

- CA - Unfair Labor Practice Charge Against Employer
- CB - Unfair Labor Practice Charge Against Labor Organization
- AC - Petition to Amend Certification
- RC - Representation/Certification Petition
- RM - Employer Representation Petition
- RD - Decertification Petition
- UC - Unit Clarification Petition
- VR - Petition for Voluntary Recognition Certification
- DD - Declaration of Disinterest Petition
- DR - Declaratory Rulings

### Representation Cases Certified

	STATE PANEL	LOCAL PANEL	TOTAL
Labor Organization Prevailed	10	0	10
“No Representation” Prevailed	1	0	1
Cases Certified	11	0	11
Number of Units Certified (Majority Interest)	26	12	38
Voluntary Recognized Representatives	0	0	0
Revocation of Prior Certifications	14	0	14

### Unfair Labor Practice Charges Workload

	2022	2023
Cases pending start of fiscal year	351	340
Charges filed during fiscal year	209	185
Total caseload	560	525
Total cases closed	220	189

### Petition Management (Representation) Workload

	2022	2023
Petitions pending start of fiscal year	82	82
Petitions filed during fiscal year	210	234
Total caseload	292	316
Total cases closed	210	216

## Case Actions in FY 2023

	STATE PANEL	LOCAL PANEL	TOTAL
<b>I. BOARD DECISIONS</b>			
<b>(A) With exceptions filed</b>			
CA	12	7	19
CB	0	4	4
RC	1	0	1
UC	<u>1</u>	<u>0</u>	<u>1</u>
Total	14	11	25
<b>(B) With no exceptions filed</b>			
CA	5	1	6
CB	0	1	1
RC	1	2	3
UC	4	0	4
Total	10	4	14
<b>(C) Strike Investigations</b>			
	0	0	0
<b>(D) Declaratory Ruling</b>			
	2	0	2
<b>II. ADMINISTRATIVE DISMISSALS</b>			
<b>(Not appealed to the Board)</b>			
CA	27	18	45
CB	<u>17</u>	<u>16</u>	33
RC	1	0	1
RD	<u>1</u>	<u>0</u>	<u>1</u>
Total	46	34	80
<b>III. CERTIFIED</b>			
AC	0	1	1
DD	14	0	14
RC/RM/RD	37	12	49
UC	107	20	127
VR	0	0	0
Total	158	33	191
<b>IV. WITHDRAWALS</b>			
CA	69	23	92
CB	5	3	8
RC	8	0	8
RD	5	0	5
UC	<u>3</u>	<u>2</u>	<u>5</u>
Total	90	28	118

## Certifications of Representative

**S-RC-21-020** Majority Interest

**City of Sterling and Illinois and Illinois FOP Labor Council**

Certified: 7/6/2022 Winner: Illinois FOP Labor Council

Unit Description: All full-time officers in the rank of Sergeant as supervisory employees

**S-RC-22-055** Majority Interest

**Village of Worth and Illinois FOP Labor Council**

Certified: 7/6/2022 Winner: Illinois FOP Labor Council

Unit Description: All persons employed by the Village of Worth in the following titles: Building Clerk, Assistant Treasurer, Records Clerk, Administrative Assistant, Accounting Clerk, and Water Clerk

**S-RC-22-058** Majority Interest

**City of East St. Louis and Policemen's Benevolent Labor Committee**

Certified: 7/14/2022 Winner: Policemen's Benevolent Labor Committee

Unit Description: All sworn Police Officers with the rank of Sergeant and below.

**S-RC-23-001** Majority Interest

**Bristol Kendall Fire Protection District and Bristol Kendall Professional Firefighters Local 5386**

Certified: 8/9/2022 Winner: Bristol Kendall Professional Firefighters Local 5386

Unit Description: All sworn commissioned full-time employees holding the ranks of firefighter, firefighter-paramedic and lieutenant.

**S-RC-22-062** Majority Interest

**City of Burbank and Illinois Council of Police**

Certified: 8/23/2022 Winner: Illinois Council of Police

Unit Description: All full-time sworn Police Officers

**L-RC-23-001** Majority Interest

**County of Cook and Service Employees International Union, Local 73**

Certified: 9/16/2022 Winner: Service Employees International Union

Unit Description: Include in L-UC-23-001, Procurement Analyst

**S-RC-22-029** Election

**Illinois Council of Police and Village of Maywood and Metropolitan Alliance of Police, Maywood Chapter #513**

Certified: 9/16/2022 Winner: MAP Chapter #513 (Incumbent)

Unit Description: All full-time sworn Police Officers below the rank of Sergeant

**S-RC-22-059** Election

**Illinois Council of Police and Village of Manhattan and International Brotherhood of Teamsters, Local 700**

Certified: 10/17/2022 Winner: Illinois Council of Police

Unit Description: All full-time sworn police officers in the rank of Sergeant and below.

**S-RC-22-061** Majority Interest

**City of Pekin and Pekin Firefighters IAFF Local #524**

Certified: 10/17/2022 Winner: Pekin Firefighters Local #524

Unit Description: Include in existing historical bargaining unit job title of Battalion Chief

**S-RC-23-003** Majority Interest

**State of Illinois, Department of Central Management Services and American Federation of State, County and Municipal Employees, Council 31**

Certified: 10/17/2022 Winner: AFSCME Council 31

Unit Description: Include in RC-62 the titles of Medicaid Management Analyst; Medicaid Management Intern

**S-RC-23-006** Majority Interest

**Village of Broadview and Broadview Professional Firefighters Union IAFF- Local 5129**

Certified: 10/17/2022 Winner: Broadview Professional Firefighters

Unit Description: Include in S-RC-20-053 the job title of Captain.

**S-RC-22-049** Majority Interest

**Village of Mokena and Metropolitan Alliance of Police, Mokena Police Civilian Chapter #711**

Certified: 10/17/2022 Winner: MAP Civilian Chapter #711

Unit Description: All civilian employees in the job title of Customer Service Representative.

**S-RC-23-002** Election

**City of Markham and Illinois Council of Police and Teamsters Local 700**

Certified: 10/31/2022 Winner: Illinois Council of Police

Unit Description: All sworn full-time police officers in the rank of patrolman and sergeant.

**S-RC-23-008** Election

**Policemen's Benevolent Labor Committee and Sangamon County Central Dispatch and International Brotherhood of Electrical Workers, Local 193**

Certified: 11/30/2022 Winner: Policemen's Benevolent Labor Committee

Unit Description: All full-time individuals employed by Sangamon County Central Dispatch System in the position of Dispatcher.

**S-RC-23-011** Majority Interest

**Laborers International Union of North America, Local 1084 and County of Montgomery and Supervisor of Assessments**

Certified: 12/6/2022 Winner: Laborers Local 1084

Unit Description: All persons employed full-time, non-supervisory by the County of Montgomery Supervisor of Assessments in the following titles or classifications: Deputy Assessor; Field Assistant; Deputy Clerk; Assessment Clerk; Geographic Information System (GIS).

**S-RC-23-015** Majority Interest

**Lake Villa Fire Protection District and International Association of Fire Fighters**

Certified: 12/7/2022 Winner: IAFF

Unit Description: Firefighters, Paramedics, Lieutenants, and Battalion Chiefs.

**L-RC-23-002** Majority Interest

**County of Cook and Sheriff of Cook County and International Association of Machinists and Aerospace Workers, Local 126**

Certified: 12/15/2022 Winner: IAMAW Local 126

Unit Description: Include in L-UC-22-010 the job title of Electronic Equipment Specialist

**S-RC-22-063** Majority Interest

**Chief Judge of the Circuit Court of Cook County and American Federation of State, County and Municipal Employees, Council 31**

Certified: 1/13/2023 Winner: AFSCME

Unit Description: All employees at the Juvenile Temporary Detention Center in the following titles: Administrative Analyst I; Administrative Assistant I, II, III and IV; Clerk IV and V; Court Coordinator IV /Court Liaison; Management Analyst IV; Professional Development Specialist; Resident Internal Affairs Specialist; Storekeeper III; Storekeeper IV.

**S-RC-23-005** Majority Interest

**Village of Lombard and Lombard Firefighters Union, IAFF Local 3009**

Certified: 1/13/2023 Winner: Lombard Firefighters Union, Local 3009

Unit Description: All full-time sworn Firefighters including the rank of Lieutenant and Battalion Chief employed by the Village of Lombard.

**S-RC-23-009** Election

**Illinois FOP Labor Council and County of Boone and Sheriff of Boone County and United Automobile Workers, Local 1761**

Certified: 1/13/2023 Winner: Illinois FOP Labor Council

Unit Description: All full-time and regular part-time employees in the following classifications: Janitor/Custodian, Records Clerk, Lead Dispatcher, Dispatcher, County Maintenance, Courthouse Maintenance, PSB Maintenance, and Non-Confidential Secretary

**S-RC-23-018** Majority Interest

**State of Illinois, Department of Central Management Services and American Federation of State, County and Municipal Employees, Council 31**

Certified: 1/24/2023 Winner: AFSCME

Unit Description: Include in RC-63 the job titles of Water Engineer II and Electrical Engineer III

**L-RC-23-004** Majority Interest

**County of Cook and Cook County Public Defender and American Federation of State, County and Municipal Employees, Council 31**

Certified: 2/27/2023 Winner: AFSCME

Unit Description: Include in L-RC-20-012 the titles of Accounts Payable Specialist and Paralegal.

**L-RC-23-004** Majority Interest

**County of Cook and Service Employees International Union, Local 73**

Certified: 2/27/2023 Winner: SEIU Local 73

Unit Description: Include in L-RC-23-001 the job title of Administrative Assistant II in Contract Compliance Office.

**S-RC-23-004** Majority Interest

**County of Adams and Sheriff of Adams County and District Lodge 9, International Association of Machinists and Aerospace Workers**

Certified: 2/27/2023 Winner: IAMAW District Lodge 9

Unit Description: All full-time and regular part-time maintenance and clerical employees employed by the Adams County Sheriff's Department.

**S-RC-23-012** Election

**Illinois Fraternal Order of Police Labor Council and City of Gillespie and Laborers, Local 338**

Certified: 3/1/2023 Winner: Illinois FOP Labor Council

Unit Description: All regular full-time employees of the City of Gillespie in the following title: Police Dispatcher.

**S-RC-23-013** Majority Interest

**Champaign-Urbana Public Health District and American Federation of State, County and Municipal Employees, Council 31**

Certified: 3/8/2023 Winner: AFSCME

Unit Description: All permanent full time, permanent part time employees including Account Technician I, Dental Assistant, Dental Assistant II, Deputy Registrar, Environmental Health Specialist-In-Training, Intake Specialist, IT Helpdesk Technician, Laboratory Assistant, Licensed Practical Nurse II, Maintenance Technician, Medical Billing Specialist, Public Health Tech II, Special Projects Assistant - Contact Tracers, Special Projects Assistant- General, Special Projects Assistant - Peer Counselor, Health Educator, Case Manager, Communicable Disease Investigator, Dental Hygienist, Emergency Preparedness Planner, Environmental Health Specialist I, Environmental Health Specialist II, Health Educator II, IT Web Designer, Licensed Practical Nurse III, Nurse Practitioner I, Nutritionist, Nutritionist II, Public Health Nurse I,

Public Health Nurse II, Special Projects Coordinator.

**S-RC-23-031** Majority Interest

**County of Fulton and Sheriff of Fulton County and Illinois Fraternal Order of Police Labor Council**

Certified: 3/8/2023 Winner: Illinois FOP Labor Council

Unit Description: All full-time sworn police officers in the rank of Sergeant and Lieutenant in the Fulton County Sheriff's Office.

**S-RC-23-030** Majority Interest

**Village of Crestwood and Illinois Fraternal Order of Police Labor Council**

Certified: 3/9/2023 Winner: Illinois FOP Labor Council

Unit Description: All full-time sworn police officers in the rank of Police Officer, Corporal, Sergeant and Commander in the Village of Crestwood Police Department.

**L-RC-21-013** Majority Interest

**City of Chicago and American Federation of State, County and Municipal Employees, Council 31**

Certified: 4/4/2023 Winner: AFSCME

Unit Description: Include in AFSCME Bargaining Unit #3 job title Investigator in the Office of Public Safety Administration.

**L-RC-23-010** Majority Interest

**County of Cook, Health & Hospital System and Service Employees International Union, Local 73**

Certified: 4/5/2023 Winner: SEIU Local 73

Unit Description: Include in L-RC-18-010 the job title of Staffing Coordinator

**L-RC-23-007** Majority Interest

**County of Cook, Health & Hospital System and American Federation of State, County and Municipal Employees, Council 31**

Certified: 4/10/2023 Winner: AFSCME

Unit Description: Include in L-UC-23-004 the job title of Patient Access Trainer

**L-RC-23-011** Majority Interest

**County of Cook and Service Employees International Union, Local 73**

Certified: 4/10/2023 Winner: SEIU Local 73

Unit Description: Include in L-RC-23-005 the job titles of Compliance Officer and Certification Officer.

**S-RC-23-036** Majority Interest

**Village of Swansea and Laborers International Union of North American, Local 459**

Certified: 4/10/2023 Winner: Laborers Local 459

Unit Description: All full-time employees in the Public Works, Street and Sewer Departments.



**L-RC-23-008** Majority Interest

**County of Cook, Health & Hospital System and American Federation of State, County and Municipal Employees, Council 31**

Certified: 4/11/2023 Winner: AFSCME

Unit Description: Include in L-RC-20-006 the job title Recovery Coach.

**L-RC-23-014** Majority Interest

**County of Cook, Health & Hospital System and American Federation of State, County and Municipal Employees, Council 31**

Certified: 4/11/2023 Winner: AFSCME

Unit Description: Include in L-UC-23-004 the job title Community Health Promoter.

**L-RC-23-006** Majority Interest

**City of Chicago, Police Department and American Federation of State, County and Municipal Employees, Council 31**

Certified: 4/13/2023 Winner: AFSCME

Unit Description: Include in AFSCME Bargaining Unit #3 job title Photographic Specialist.

**L-RC-23-013** Majority Interest

**City of Chicago and American Federation of State, County and Municipal Employees, Council 31**

Certified: 4/13/2023 Winner: AFSCME

Unit Description: Include in AFSCME Bargaining Unit #3 job titles Supervising Audio/Visual Tester and Crime Victim Advocate.

**S-RC-23-025** Majority Interest

**Village of Wilmette and International Association of Fire Fighters**

Certified: 4/13/2023 Winner: IAFF

Unit Description: All full-time employees in the classifications of firefighter, firefighter/paramedic, lieutenant, lieutenant/paramedic, and emergency vehicle coordinator.

**S-RC-23-026** Majority Interest

**City of Rolling Meadows and International Association of Fire Fighters**

Certified: 4/13/2023 Winner: IAFF

Unit Description: Include in S-VR-94-001 the job title Battalion Chief.

**S-RC-23-038** Majority Interest

**City of Batavia and Batavia Professional Firefighters Local 3436**

Certified: 4/13/2023 Winner: Batavia Firefighters Local 3436

Unit Description: The full-time members of the Batavia Fire Department with the ranks of Firefighters, Lieutenant, and/or Battalion Chief.

**S-RC-23-010** Election

**Illinois Fraternal Order of Police Labor Council and County of Fulton and Sheriff of Fulton County and American Federation of State, County and Municipal Employees, Council 31**

Certified: 4/24/2023 Winner: AFSCME (Incumbent)

Unit Description: Unit B: All full-time Fulton County Sheriff's Deputies, Telecommunicators, Jailers and Animal Control Officers.

**S-RC-23-020** Majority Interest

**Village of Plainfield and Metropolitan Alliance of Police, Plainfield Sergeants Chapter #94**

Certified: 4/26/2023 Winner: Plainfield Sergeants Chapter #94

Unit Description: All full-time sworn peace officers holding the rank of Sergeant.

**S-RC-23-028** Election

**Metropolitan Alliance of Police, Thornton Police Chapter #105 and Village of Thornton, Police Department and International Brotherhood of Teamsters Local 700**

Certified: 4/26/2023 Winner: MAP Thornton Police Chapter #105

Unit Description: All full-time sworn police officers employed by the Village of Thornton.

**S-RC-23-041** Majority Interest

**Village of Glen Ellyn and International Union of Operating Engineers, Local 150**

Certified: 5/16/2023 Winner: International Union of Operating Engineers

Unit Description: Maintenance Worker I, Maintenance Worker II, Maintenance Worker III, Crew Leader, Mechanic I, Mechanic II, Mechanic III, Senior Plant Operator, Plant Operator

**S-RD-23-006** Election

**Mike McTighe and Village of Oak Brook and Illinois Council of Police**

Certified: 5/17/2023 Winner: No Representation

**S-RC-23-007** Election

**Village of Woodridge, Public Works Department and International Brotherhood of Teamsters Local 700**

Certified: 5/18/2023 Winner: Teamsters Local 700

Unit Description: Maintenance Workers, Water Plant Operators and Equipment Technicians

**S-RC-23-034** Election

**Metropolitan Alliance of Police and Village of Elburn and Illinois Council of Police and Illinois Fraternal Order of Police Labor Council**

Certified: 5/18/2023 Winner: Illinois FOP Labor Council (Incumbent)

Unit Description: All full-time Police Officers holding the ranks of Patrol Officer and Sergeant.

**S-RC-23-040** Majority Interest  
**Chief Judge of the Circuit Court of Cook County and American Federation of State, County and Municipal Employees, Council 31**  
Certified: 6/1/2023 Winner: AFSCME  
Unit Description: Include in Cook County Judicial Administration Group B the titles of Administrative Analyst II and Commissary Coordinator.

**S-RC-23-039** Majority Interest  
**City of Burbank and Illinois Council of Police**  
Certified: 6/29/2023 Winner: Illinois Council of Police  
Unit Description: All full-time sergeants

### **Revocation of Prior Certifications**

**S-DD-23-001**  
**Village of North Riverside and International Brotherhood of Teamsters, Local 700**  
Date of Revocation: 8/25/2022  
Unit Description: All customer relations specialists, financial analysts, senior financial analysts, building administrative assistants, administrative assistants, records analysts, and office managers.

**S-DD-23-002**  
**County of White and White County Supervisor of Assessments and Laborers International Union of North America, Local 1197**  
Date of Revocation: 10/4/2022  
Unit Description: All non-professional full-time and regular part-time employees of the office of the White County Supervisor of Assessments.

**S-DD-23-003**  
**County of White and State's Attorney of White County and Laborers International Union of North America, Local 1197**  
Date of Revocation: 10/4/2022  
Unit Description: All full-time and permanent part-time employees in the White County State's Attorney's Office.

**S-DD-23-004**  
**Village of Brookfield and Illinois FOP Labor Council**  
Date of Revocation: 10/20/2022  
Unit Description: All full-time Telecommunicators, Records Clerks and Vehicle Enforcement Officers employed by the Village of Brookfield

**S-DD-23-005**

**County of Montgomery and Laborers International Union of North America, Local 397**

Date of Revocation: 10/31/2022

Unit Description: All persons employed full-time, non-supervisory by the County of Montgomery Supervisor of Assessments in the following titles or classifications: Deputy Assessor; Field Assistant; Deputy Clerk; Assessment Clerk; Geographic Information System (GIS).

**S-DD-23-006**

**County of McHenry and Service Employees International Union, Local 73**

Date of Revocation: 10/20/2022

Unit Description: All full-time and part-time employees of the McHenry County Department of Health, Animal Control Unit, in the following titles: Animal Control Officer; Lead Animal Control Officer; Kennel Technician; Lead Kennel Technician; Administrative Technician/Office Assistant I; Administrative Technician/Office Assistant II.

**S-DD-23-007**

**City of Venice and Illinois Council of Police**

Date of Revocation: 12/21/2022

Unit Description: Unit A: All full-time and part-time employees in the classifications of Telecommunications Officer and PSAP Manager/Telecommunications Officer employed by the Police Department of the City of Venice.

**S-DD-23-008**

**City of Venice and Illinois Council of Police**

Date of Revocation: 12/21/2022

Unit Description: Unit B: All full-time sworn peace officers with the rank of sergeant and below.

**S-DD-23-009**

**City of Naperville and International Union of Operating Engineers, Local 150**

Date of Revocation: 1/13/2023

Unit Description: Unit B: All persons employed by the City of Naperville in its Department of S-Public Works in the following job classifications: Lead Equipment Technician; Equipment Technician; Lead Automotive Technician; Automotive Technician; Senior Parts Technician; Parts Technician; Shop Assistant.

**S-DD-23-010**

**County of Boone and Treasurer of Boone County and United Automobile Workers, Local 1761**

Date of Revocation: 1/13/2023

Unit Description: All persons employed by the County of Boone and Treasurer of Boone County and holding the following job classifications: Clerk, Deputy Treasurer.

**S-DD-23-011**

**City of East Peoria and International Brotherhood of Teamsters, Local #627**

Date of Revocation: 3/7/2023

Unit Description: All permanent full-time employees assigned to maintenance at the East Side Centre and all permanent full-time and permanent part-time employees assigned to the Public Property Maintenance crew.

**S-DD-23-012**

**Village of Wilmette and Service Employees International Union, Local 73**

Date of Revocation: 3/7/2023

Unit Description: All full-time firefighters, full-time firefighter/paramedics and firefighter/paramedic/mechanics employed by the Village of Wilmette.

**S-DD-23-013**

**City of Savanna and International Brotherhood of Electrical Workers, Local 196**

Date of Revocation: 1/20/2023

Unit Description: All employees of the City of Savanna Public Works Department.

**S-DD-23-014**

**County of White and Laborers International Union of North America - Local #1197**

Date of Revocation: 4/24/2024

Unit Description: All full-time and permanent part-time clerical and maintenance employees in the White County Highway Department.

**Amendments of Certifications**

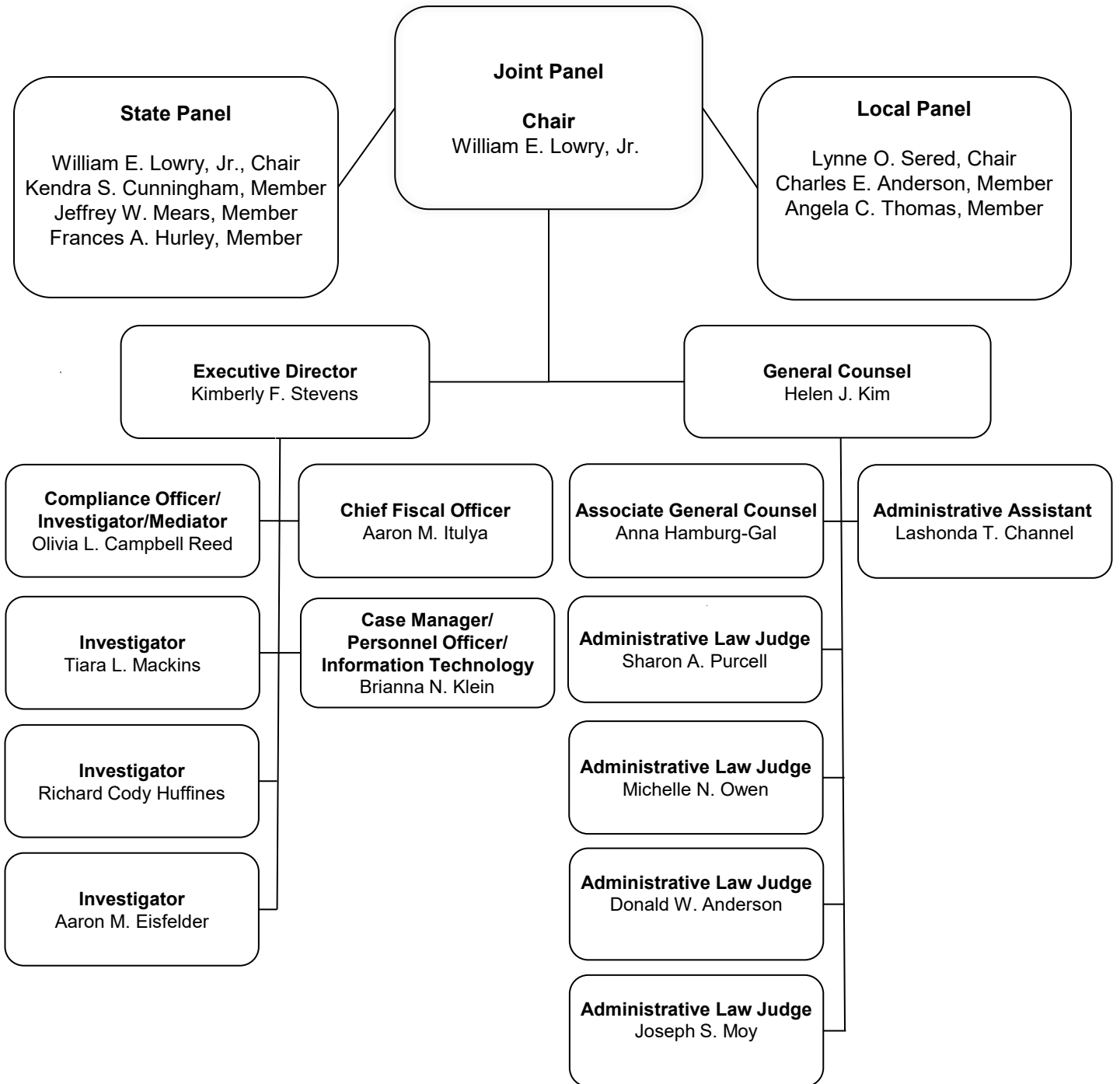
**L-AC-22-001**

**City of Chicago, Department of Aviation and International Brotherhood of Teamsters Local 700**

Date of Amendments: 1/29/2022

Amendment: Change Employer name from City of Chicago, Office of Emergency Management and Communication to City of Chicago, Department of Aviation.

# Illinois Labor Relations Board Organizational Chart



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